

Notice of Allowability

Application No.

10/661,992

Examiner

Raymond S. Dean

Applicant(s)

GENTSCH ET AL.

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to July 3, 2007.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Arguments

1. Examiner disagrees with Applicants' assertion on Page 9, 1st Paragraph "Thus Annex B of the 3GPP document clearly does not teach ...". The Applicants' claimed limitation in lines 5 – 9 of Claim 1 "time masking parts that select ...", which is detailed on Pages 4 and 5 of Applicants' disclosure, is shown in Figure 4 of Applicants' drawings. This particular figure, which describes the above limitations in lines 5 – 9, is the exact same figure shown in Figure B2 of Annex B of the cited 3GPP document. Examiner thus fails to see how the cited 3GPP document does not teach the above limitations.

Examiner does not understand why it is "entirely unclear" to the Applicant how the 3GPP document is relevant to Damgaard. Damgaard and the 3GPP document both teach GSM systems. It would have been obvious to a skilled artisan to use the time masking of the 3GPP document in the Damgaard system since said time masking is a typical characteristic of a typical GSM system. It would not be a stretch at all for one of ordinary skill in the art to look to the 3GPP document for the time masking as said time masking is a well-established feature in GSM systems.

The foundation or base of an EDGE system is the GSM technology, as any skilled artisan knows. It is therefore unclear to Examiner why it is not understood why it would be obvious to modify a GSM based system with a well know GSM feature such as time masking.

The Office Action did not turn to the 3GPP document for "masking the very time period in which measurements are taken?". A careful reading of Applicants' claims and the Office Action would reveal, "time masking parts that select at least one time window". The above limitation clearly shows that the time masking selects a time window and does not show masking of a time period. Examiner is thus confused as to what Applicants' are talking about.

It is well known in the art that the two time windows in Figure B2 correspond to the tail bits, which are sent in a constant envelope. The two windows thus enable a constant envelope.

The previous Office Actions have addressed any and all of Applicants' previous arguments.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

The prior art of record, however, fails to teach or show **parts for measuring the first voltage only during the at least one time window selected by the time masking parts; a comparator for comparing the first voltage with a reference voltage and producing a comparison result; and a controller, responsive to the comparator, that adjusts a control signal of the amplifier after a predetermined time delay, occurring after the time window selected by the time masking parts has lapsed, if the comparison result indicates that the first voltage deviates more than a predefined threshold value from the reference voltage.** Claim 1, including all

the claims that depend directly or indirectly from Claim 1, Claim 11, including all the claims that depend directly or indirectly from Claim 11, and Claim 21 are therefore allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

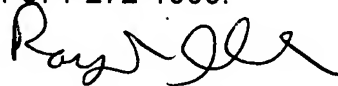
Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S. Dean whose telephone number is 571-272-7877. The examiner can normally be reached on Monday-Friday 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Raymond S. Dean
September 4, 2007



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SUPERVISORY PATENT EXAMINER
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